SHIPMAN-RECOMMENDED STATUTORY LANGUAGE UPDATES

5145.4P

STUDENTS

NON-DISCRIMINATION POLICY (STUDENTS)

The Board of Education complies with all applicable federal, state and local laws prohibiting the exclusion of any person from any of its educational programs or activities, or the denial to any person of the benefits of any of its educational programs or activities because of race, religion, color, national origin, sex, sexual orientation, marital status, age, disability (including pregnancy), veteran status or gender identity or expression, subject to the conditions and limitations established by law.

It is the policy of the Board that any form of discrimination or harassment on the basis of race, religion, color, national origin, sex, sexual orientation, marital status, age, disability (including pregnancy), veteran status, gender identity or expression, or any other basis prohibited by state or federal law is prohibited, whether by students, Board employees or third parties subject to the control of the Board. The Board's prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics. It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination **or harassment** on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), veteran status or gender identity or expression.

For the purposes of this policy, "veteran" means any person honorably discharged from, ~~or~~ released under honorable conditions from, ~~active service in~~, **or released with an other than honorable discharge based on a qualifying condition from active service in** the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard. **"Qualifying condition" means (A) a diagnosis of post-traumatic stress disorder or traumatic brain injury made by an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, (B) an experience of military sexual trauma disclosed to an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, or (C) a determination that sexual orientation, gender identity or gender expression was more likely than not the primary reason for an other than honorable discharge, as determined in accordance with Conn. Gen. Stat. §§ 27-103(c), (d).**

For the purposes of this policy, "race" is inclusive of ethnic traits historically associated with race, including but not limited to, hair texture and protective hairstyles. "Protective hairstyles"

includes, but is not limited to, wigs, headwraps and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros and afro puffs.

For the purposes of this policy, "gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

Any student and/or parent/guardian wishing to file a complaint regarding discrimination **or harassment** may obtain a copy of the Board's complaint procedures and complaint form which are included in the Board's Administrative Regulations Regarding Non-Discrimination/Students. These regulations accompany Board Policy Series 5000 #5145.42 and are available online at www.colchesterct.org or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex**, gender identity, sexual orientation,** ~~or~~ disability, **or pregnancy,** such complaints will be handled under other appropriate policies~~ Series 5000~~ #5145.5**P** Sex Discrimination & Sexual Harassment (Students); ~~Series 5000 #~~5145**P** Students & Section 504 of the Rehabilitation Act of 1973 & Title ll of the Americans with Disabilities Act of 1990.

Any student and/or parent/guardian also may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109- 3921
(617) 289-0111
http://www2.ed.gov/about/offices/list/ocr/docs/howto.html

Any student and/or parent/guardian may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities
450 Columbus Blvd., Hartford, CT 06103-1835
(860) 541-3400 or Connecticut Toll Free Number 1-(800-477-5737)

Anyone who has questions or concerns about this policy, or **and/or who may wish to request or discuss accommodations based on religion, and/or who** would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination, may contact:

Director of Pupil Services and Special Education

380 Norwich Avenue, Colchester, CT 06415, 860.537.3103

Anyone who has questions or concerns about the Board's policies regarding discrimination **or harassment** on the basis of gender/sex**, gender identity, or sexual orientation** may contact the Board's Title IX Coordinator:

Director of Pupil Services and Special Education
380 Norwich Avenue, Colchester, CT 06415, 860.537.3103

Anyone who has questions or concerns about the Board's policies regarding discrimination **or harassment** on the basis of disability**, and/or who may wish to request or discuss accommodations for a disability,** may contact the Board's Section 504/ADA Coordinator:

Director of Pupil Services and Special Education
380 Norwich Avenue, Colchester, CT 06415, 860.537.3103

Legal References:

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq.
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, et seq.
Americans with Disabilities Act, 42 U.S.C. § 12101, et seq.
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, et seq.
Connecticut General Statutes § 1-1n, "Gender Identity or Expression" defined
Connecticut General Statutes § 10-15c
Connecticut General Statutes § 27-103
Connecticut General Statutes § 46a-51, Definitions
Connecticut General Statutes § 46a-58, Deprivation of rights
Connecticut General Statutes § 46a-81a, et seq.
Public Act No. 21-79, "An Act Redefining 'Veteran' and Establishing a Qualifying Review Board"

~~Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq.~~
~~Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, et seq.~~
~~Americans with Disabilities Act, 42 U.S.C. § 12101, et seq.~~
~~Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, et seq.~~
~~Connecticut General Statutes § 10-15c, § 46a-58, and § 46a-81a, et seq.~~
~~Connecticut General Statutes § 1-1n, "Gender Identity or Expression" defined~~
~~Public Act 17-127, An Act Concerning Discriminatory Practices Against Veterans, Leaves of Absence for National Guard Members, Application for Certain Medicaid Programs, and Disclosure of Certain Records to Federal Military Law Enforcement.~~

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COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut